



**METROPOLITAN
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Memorandum

TO: Programming & Allocations Committee

DATE: July 13, 2011

FR: Deputy Executive Director, Policy

RE: Update on SMART Public Hearing and Allocations

Following is an update on the various funding actions for the Sonoma Marin Area Rail Transit project that are being considered at today's Committee meeting and are the subject of today's public hearing.

Transportation Authority of Marin (TAM) Funding

At their July 7th meeting, the TAM Board voted to not rescind a prior action, thereby affirming their funding commitment of \$8 million to the SMART project.

SMART Board Approval of Funding Request

The SMART Board has not met this month to consider the approval of a funding request to MTC for the bridge toll funds. Staff has not yet received a SMART Board-approved resolution, and we have learned that the SMART Board is not scheduled to meet until August 17th. We have requested that SMART staff provide a report prior to the Commission's consideration of the RM2 program amendments and the allocation of RM2, SLPP, and Two Percent Bridge Toll funds at its meeting on July 27.

Because the SMART Board action will not occur before the July Commission meeting and the Commission does not meet in August, staff recommends that the Committee refer to the Commission a conditional approval of the RM2 program amendments and allocations, pending completion of the public hearing, as follows:

1. If the SMART staff report is received before July 27 and indicates that the project information including costs are consistent with the information presented today, and the SMART Board confirms this by Resolution at their August meeting, then the Commission's approval of the RM2 program amendment and funding allocation approvals (Commission Action) would go into effect following the SMART Board approval on August 17th.
2. The Commission Action would be deferred to October as discussed below if the SMART staff report is not received by July 27, or if it indicates that the project cost has increased above what is presented to the Committee today.
3. If a SMART staff report is received by July 27, but the SMART Board at its August 17th meeting approves a Resolution that includes a higher project cost than what is presented to the Committee today, Commission Action would be deferred to October as discussed below.

If Commission Action is deferred, a new public hearing would be scheduled for no earlier than the October Programming & Allocations Committee meeting in order to meet the 30-day notice requirements for a public hearing following the August 17 SMART Board meeting. This hearing would be held in order to present and take comments on the information submitted by the SMART Board. The Commission would then consider the RM2 program amendments and the funding allocations pending results of the October hearing.



Ann Flemer

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